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September 9, 2022

VIA ECF SYSTEM

Hon. Paul A. Engelmayer
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square, Courtroom 1305
New York, New York 10007

Re: ShiftPixy, Inc. v. Gregory Bergman, 21 Civ. 7135 (PAE); consolidated with ShiftPixy, Inc. v. Access2 Financial, Inc. and Gregory Bergman, 22 Civ. 5686 (PAE)

Dear Judge Engelmayer:

We represent ShiftPixy, Inc. ("ShiftPixy"), plaintiff in the above-captioned consolidated actions, and are writing to request a two-day extension, from September 12, 2022 to September 14, 2022, of the parties' time to file the joint pretrial order. The Court's order of May 26, 2022 (ECF 25), set that deadline for Saturday, September 10, 2022 (Rule 6(a)(1)(C) extends that date to September 12). The deadline was extended once before by the same order. The reason for the request is that I had cataract surgery yesterday, and it appears that my vision will not return to normal for a few days. I fully expect that I will be able to attend to the remaining parts of the joint pretrial order (it is already substantially complete) by next Wednesday, the requested date. We have consulted with our adversary, who consents to the request. The next case management conference in the case is set for September 23, 2022, at 11:00 a.m. We thank the Court for its courtesy.

Respectfully

Martin E. Karlinsky

The Court adjourns the deadline for the joint pretrial order until after the case management conference on September 23, 2022.

As stated in the Court's September 2, 2022 memo endorsement, the Court will set a deadline for the joint pretrial order and

pretrial submissions at the conference. Dkt. 29. Accordingly, the parties should jointly resubmit a proposed case management plan as directed in the September 2, 2022 memo, Dkt. 29, and need not submit a joint pretrial order in advance. The Court wishes counsel a speedy recovery. SO ORDERED.

MEK/ks

cc: Counsel of Record (via ECF)

KARLINSKY LLC

PAUL A. ENGELMAYER
United States District Judge

ADMITTED TO THE BARS OF NEW YORK,
CALIFORNIA, AND THE DISTRICT OF COLUMBIA

September 9, 2022